

CAUSE NO. 91191-CR-A

EX PARTE § IN THE 149th JUDICIAL
 § DISTRICT COURT OF
 JULIO ZUNIGA, III § Brazoria COUNTY, TEXAS

ORDER DESIGNATING ISSUES

The Court, having reviewed Applicant's application for writ of habeas corpus filed pursuant to TEX. CODE CRIM. PROC. art. 11.07, decides that there may be controverted, previously unresolved facts material to the legality of Applicant's confinement that require resolution. Accordingly, the Court designates the following issue to be resolved: (1) If applicant was forced under threat to take a plea. (2) Prosecutorial Misconduct, and (3) Ineffective assistance of counsel.

A hearing shall be conducted by affidavit. Applicant should not be returned to Brazoria County. Bruce Armstrong, Moses Villalobos, Willie Ratliffe, Officer Reyes, Penny Garcia, Lt. Jesse Lott, Major Fredrick Gordon, Marcus Cooper, Sgt. Williams, Sgt Estrada, Officer, Garcia, Bo Stallman, Charles Martin, and Cynthia Bridges, to file an affidavit with this Court, addressing applicant's claims of threatening to take a plea, prosecutor misconduct, and ineffective assistance of counsel shall prepare an affidavit, responding to the above-designated issues.

The original affidavit(s) shall be submitted to the Clerk of this Court with a copy mailed to the applicant, Julio Zuniga, TDC # 01961551 % TDCJ Memorial Unit, 59 Darrington Rd, Rosharon, TX 77583, and the State's post-conviction attorney, Cynthia Bridges, % Special Prosecution Unit, 111 East Locust, Rm 408-A, Angleton, TX 77515 no later than this date:

REQUEST FOR LEAVE TO AMEND COMPLAINT - 3:22-CV-00052
MOISES VILLALOBOS - FORMER ASST. WARDEN (DARRINGTON PLANTATION) DRUG INTRODUCTION TEAM
WILLIE RATLIFFE - ASST. WARDEN (DARRINGTON PLANTATION) DRUG INTRODUCTION TEAM
CHARLES MARTIN - STATE COUNSEL FOR OFFENDERS - ATTORNEY (I REPORTED OFFICER MISCONDUCT DIRECTLY TO HIM, HE SAID THAT CYNTHIA BRIDGES - BRAZORIA COUNTY DISTRICT ATTORNEY. HE THOUGHT I WAS JOKING/EVEN BETTER BO STALLMAN - (BRAZORIA COUNTY SHERIFF) (REPORTED WHISTLEBLOWER TO TBCJ/TDCJ)
TIMOTHY WILLIAMS - (DRUG INTRODUCTION TEAM / GUNN INTELLIGENCE)
Sgt. ESTRADA - ALVIN PD (NOW)

Upon receipt of the affidavit(s), each party is allowed to file a response and submit it to the Clerk of this Court with a copy mailed to the opposing party, **no later than third (30) days following the mailing of the affidavit from TDCJ.**

The Clerk of this Court is also directed to send a copy of this Order to:

- (1) The State's post-conviction attorney, Cynthia Bridges, Special Prosecution Unit, 111 East Locust, RM 408-A, Angleton, TX 77515;
- (2) TDCJ Office of General Counsel, PO Box 4004, Huntsville, Texas 77342; and
- (3) Pro Se Applicant, Julio Zuniga, TDC # 01961551 % TDCJ Memorial Unit, 59 Darrington Rd, Rosharon, TX 77583.

SIGNED this date: _____

JUDGE PRESIDING

CAUSE NO. 91191-CR-A

EX PARTE § IN THE 149th JUDICIAL
UNITED STATES DISTRICT COURT § DISTRICT COURT OF
JULIO ZUNIGA, III § Brazoria COUNTY, TEXAS

✓
BRUCE ARMSTRONG, et al., ORDER DESIGNATING ISSUES

The Court, having reviewed Applicant's application for writ of habeas corpus filed pursuant to TEX. CODE CRIM. PROC. art. 11.07, decides that there may be controverted, previously unresolved facts material to the legality of Applicant's confinement that require resolution. Accordingly, the Court designates the following issue to be resolved: (1) If applicant was forced under threat to take a plea. (2) Prosecutorial Misconduct, and (3) Ineffective assistance of counsel.

A hearing shall be conducted by affidavit. Applicant should not be returned to Brazoria

County. Bruce Armstrong, Moses Villalobos, Willie Ratliffe, Officer Reyes, Penny Garcia,
Lt. Jesse Lott, Major Fredrick Gordon, Marcus Cooper, Sgt. Williams, Sgt Estrada, Officer,
Garcia, Bo Stallman, Charles Martin, and Cynthia Bridges, to file an affidavit with this
Court, addressing applicant's claims of threatening to take a plea, prosecutor misconduct,
and ineffective assistance of counsel shall prepare an affidavit, responding to the above-
designated issues.

The original affidavit(s) shall be submitted to the Clerk of this Court with a copy mailed to the applicant, Julio Zuniga, TDC # 01961551 % TDCJ Memorial Unit, 59 Darrington Rd, Rosharon, TX 77583, and the State's post-conviction attorney, Cynthia Bridges, % Special Prosecution Unit, 111 East Locust, Rm 408-A, Angleton, TX 77515 no later than this date:

TEXAS BOARD OF CRIMINAL JUSTICE - CONSPIRED WITH CINDY BRIDGES @
Brazoria County - To Intentionally Oppress inmates in EVERY REGION, by
REDACTING THE "HABEAS CORPUS HAND BOOKS 1 AND 2, to ELIMINATE "PROSECUTORIAL
MISCONDUCT" AS A GROUND, MOTIONS & INSTRUCTIONS ON HOW TO CONTEST
Conviction's THAT WERE VERY SUSPECT IN BRAZORIA COUNTY. FROM ONLY
ONE OF THE HUNDRED'S IF NOT THOUSANDS OF "WRONGFUL CONVICTIONS" DURING
ESTRADA & WILLIAMS REIGN OF ENTHRALMENT. ALL IS DOCUMENTED!
I've got NO ONE THAT CAN EXPLAIN OR PRODUCE ANY MEMO AS TO WHY THEY
UP AND DECIDED TO REMOVE THE LEGAL HAND BOOKS OTHER THAN I WAS ON THE AIR w/
THE FINAL STRAW RADIO @ RISEUP.NET (4/23/20) I SENT A TRANSCRIPT TO BO STALLMAN

Upon receipt of the affidavit(s), each party is allowed to file a response and submit it to the Clerk of this Court with a copy mailed to the opposing party, **no later than third (30) days following the mailing of the affidavit from TDCJ.**

The Clerk of this Court is also directed to send a copy of this Order to:

- (1) The State's post-conviction attorney, Cynthia Bridges, Special Prosecution Unit, 111 East Locust, RM 408-A, Angleton, TX 77515;
- (2) TDCJ Office of General Counsel, PO Box 4004, Huntsville, Texas 77342; and
- (3) Pro Se Applicant, Julio Zuniga, TDC # 01961551 % TDCJ Memorial Unit, 59 Darrington Rd, Rosharon, TX 77583.

SIGNED this date: _____

JUDGE PRESIDING

CAUSE NO. 91191-CR-A

**EX PARTE § IN THE 149th JUDICIAL
§ DISTRICT COURT OF
JULIO ZUNIGA, III § BRAZORIA COUNTY, TEXAS**

STATE'S MOTION TO DESIGNATE ISSUES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, the State of Texas, by and through Cynthia Bridges, post-conviction attorney for the Special Prosecution Unit, and moves this Court to enter an order designating issues of controverted, previously unresolved facts to be resolved. On March 28, 2022, Julio Zuniga, III filed an application for writ of habeas corpus pursuant to TEX. CODE CRIM. PROC. art. 11.07, seeking three issues to be resolved.

An application filed under article 11.07 provides for a prompt review by the trial court to determine whether the application alleges any facts, which if true, could entitle the applicant to relief. *See* art. 11.07, § 3 (c). If the court determines that controverted facts do exist, it shall enter an order designating the issues of fact to be resolved. Art. 11.07, § 3 (d); *see Martin v. Hamlin*, 25 S.W.3d 718, (Tex. Crim. App. 2000) (holding the trial court has a duty to designate issues if it determines a habeas application contains controverted issues.). Upon entry of an order designating issues, the clerk does not have a duty to forward the application to the Court of Criminal Appeals, until the trial court has resolved those issues and entered its findings. *See* art. 11.07, § 3 (d).

The State believes that information from TDCJ will assist the Court in determining whether facts exist material to the legality of Applicant's confinement before his application is forwarded to the Court of Criminal Appeals.

Consequently, the State requests the Court enter an order designating issue ordering Bruce Armstrong, Moses Villalobos, Willie Ratliffe, Officer Reyes, Penny Garcia, Lt. Jesse Lott, Major Fredrick Gordon, Marcus Cooper, Sgt. Williams, Sgt Estrada, Officer Garcia, Bo Stallman, Charles Martin, and Cynthia Bridges, to file an affidavit with this Court, addressing applicant's claims of threatening to take a plea, prosecutor misconduct, and ineffective assistance of counsel.

Further, the State requests both parties be allowed an additional thirty (30) days, after the receipt of the affidavit(s) to prepare their responses to applicant's claims.

WHEREFORE, PREMISES CONSIDERED, the State prays that this Court enter the State's Proposed Order Designating Issues.

Respectfully submitted,

Cindy Bridges

Post-Conviction Attorney
Special Prosecution Unit
111 East Locust, RM 408
E-mail: cpulcher@sputexas.org
Texas Bar Card No. 24034637

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of April, 2022, a true and correct copy of the State's Motion to Designate Issues and Order were mailed postage prepaid to pro se applicant, Julio Zuniga, TDC # 01961551 % TDCJ Memorial Unit, 59 Darrington Rd, Rosharon, TX 77583.

Cindy Brider